

COPIES OF PAPERS  
ORIGINALLY FILED

#4

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW.

BY: Kathleen C. Kinnaman

DATE: December 10, 2001

Gov  
**PATENT  
BOX MISSING PARTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Ross, <i>et al.</i>	: Group Art Unit Not Yet Assigned
		:
		:
Appln. No.:	09/961,086	: Examiner: Not Yet Assigned
		:
Filed:	September 21, 2001	:
		:
For:	BREAST CANCER RESISTANCE PROTEIN (BCRP) AND THE DNA ENCODES IT	: Attorney Docket : No. 53836-5001-01

**STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825**

- ( ) I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively are the same.
- ( ) I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(g) does not include new matter.
- ( ) I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- (X) I hereby state that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the substitute sheets of the Sequence Listing are supported in the application as filed. I hereby state that the substitute sheets of the Sequence Listing do not include new matter.
- (X) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended Sequence Listing.

( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed.

Respectfully submitted,

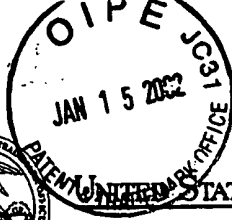
ROSS, et al.

December 7, 2001  
(Date)

By:

Kathryn Doyle  
KATHRYN DOYLE, Ph.D, J.D.  
Registration No. 36,317  
MORGAN, LEWIS & BOCKIUS, LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
Telephone: (215) 963-5000  
Direct Dial: (215) 963-4723  
Facsimile: (215) 963-5299  
E-Mail: kdoyle@morganlewis.com  
Attorney for Applicants

KD/GHL  
Enclosures



COPIES OF PAPERS  
FINALLY FILED

# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/961,086	09/21/2001	Douglas D. Ross	10312-7 (053836-5001)

CONFIRMATION NO. 6592

028977  
MORGAN, LEWIS & BOCKIUS LLP  
1701 MARKET STREET  
PHILADELPHIA, PA 19103-2921

## FORMALITIES LETTER



\*OC000000007101041\*

Date Mailed: 11/20/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1));
  - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o));
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

---

*A copy of this notice **MUST** be returned with the reply.*



---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT RETURN POSTCARD  
ATTY KD 1 ATTY DOCKET # 10312-7  
MLB DKT # 053836-5001 SECY ROR TODAY'S MAILING DATE December 10, 2001  
EXPRESS MAIL # \_\_\_\_\_ CERT OF MAIL/CERT OF SERVICE  
PAT APP/PATENT/REEXAM/INFT# 09/964, 086  
OF Ross et al.  
FOR: Breast Cancer Resistance Protein (BCRP) and the DNA which encodes it  
RECEIPT IS ACKNOWLEDGED BY THE USPTO FOR THE FOLLOWING:  
— PAT AP (PROV/NON-PROV/DES/REISSUE) — CPA/RCE REQUEST  
— DECL & POW(EXECUTED/UNEXECUTED) — AMEND/REQ RECONS/  
— PAGES TOTAL TEXT — RESPONSE TO MISSING PARTS  
— TOTAL # CLAIMS — INF.DISC. STMT.PTO-1449 & REFS  
— SHEETS DRAWING (FORMAL/INFORMAL) — PET.EXT.TIME \_\_\_\_\_ MONTHS  
— SEQUENCE LISTING (PAPER COPY/DISK) — ASSIGN/CHG NAME/MERGER/SEC. INT  
— COMPUTER CODE — PTO-1595 FORM  
— PRELIMINARY AMENDMENT — VERF.STATE. - SMALL ENTITY  
— PRIORITY DOC. — NOTICE APPEAL/APPEAL BRIEF/(3 COPIES)  
— SUPPL. DECL.  
— FEE AUTH (FINAL/MAINT/DISCLAIMER)  
COUNTRY \_\_\_\_\_ NO. \_\_\_\_\_ REQUEST(STATUS/CERTIF CORR/COR FILING RT/REFUND)  
TRANSMITTAL LTR (US/PCT/NAT'L PHASE)  
— REV/APPT OF ATTORNEY

TOTAL FEES  
OTHER (PAPER TITLE) Transmittal of Formal Drawings, Statement to Support Filing and Submission in Accordance with 37 CFR §1.821 through 1.825, Copy of Notice to File Corrected Application Papers

PATENT RETURN POSTCARD  
ATTY KD 1 ATTY DOCKET # 10312-7  
MLB DKT # 053836-5001 SECY ROR TODAY'S MAILING DATE December 10, 2001  
EXPRESS MAIL # \_\_\_\_\_ CERT OF MAIL/CERT OF SERVICE  
PAT APP/PATENT/REEXAM/INFT# 09/964, 086  
OF Ross et al.  
FOR: Breast Cancer Resistance Protein (BCRP) and the DNA which encodes it  
RECEIPT IS ACKNOWLEDGED BY THE USPTO FOR THE FOLLOWING:  
— PAT AP (PROV/NON-PROV/DES/REISSUE) — CPA/RCE REQUEST  
— DECL & POW(EXECUTED/UNEXECUTED) — AMEND/REQ RECONS/  
— PAGES TOTAL TEXT — RESPONSE TO MISSING PARTS  
— TOTAL # CLAIMS — INF.DISC. STMT.PTO-1449 & REFS  
— SHEETS DRAWING (FORMAL/INFORMAL) — PET.EXT.TIME \_\_\_\_\_ MONTHS  
— SEQUENCE LISTING (PAPER COPY/DISK) — ASSIGN/CHG NAME/MERGER/SEC. INT  
— COMPUTER CODE — PTO-1595 FORM  
— PRELIMINARY AMENDMENT — VERF.STATE. - SMALL ENTITY  
— PRIORITY DOC. — NOTICE APPEAL/APPEAL BRIEF/(3 COPIES)  
— SUPPL. DECL.  
— FEE AUTH (FINAL/MAINT/DISCLAIMER)  
COUNTRY \_\_\_\_\_ NO. \_\_\_\_\_ REQUEST(STATUS/CERTIF CORR/COR FILING RT/REFUND)  
TRANSMITTAL LTR (US/PCT/NAT'L PHASE)  
— REV/APPT OF ATTORNEY

TOTAL FEES  
OTHER (PAPER TITLE) Transmittal of Formal Drawings, Statement to Support Filing and Submission in Accordance with 37 CFR §1.821 through 1.825, Copy of Notice to File Corrected Application Papers

TECH CENTER 1600/2900

MAY 08 2002

RECEIVED